

ENTERED

September 12, 2016

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

MATT HARRIS,

Plaintiff,

VS.

MAKITA USA, INC., *et al.*

Defendants.

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CIVIL ACTION NO. H-15-3353

ORDER

Matt Harris's Opposed Motion for Default Judgment against Home Depot, U.S.A., Inc., (Docket Entry No. 30), is denied. Home Depot filed its answer on September 6, 2016. (Docket Entry No. 31). That answer substantially repeats the defenses raised by Makita's answer filed (by the same counsel retained by Home Depot) on December 16, 2015, when Makita was the sole defendant in this action. (Docket Entry No. 11). Harris will suffer no prejudice by Home Depot's delayed response.

The court will consider further motions and arguments according to the most recent amended scheduling order. (Docket Entry No. 29).

SIGNED on September 12, 2016, at Houston, Texas.



Lee H. Rosenthal
United States District Judge